
IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT, DIVISION FOUR

Civ. No. B 069450
(Super. Ct. No. BC 052395)

COURT OF APPEAL - SECOND DIST.
FILED

JAN 11 1993

JOSEPH A. LAINE

Clerk

CHURCH OF SCIENTOLOGY INTENTIONAL,

Plaintiff-Respondent

Deputy Clerk

-vs-

GERALD ARMSTRONG,

Defendant-Appellant.

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HUB LAW OFFICES

On Appeal From Superior Court Of The State Of California
County of Los Angeles
The Honorable Ronald M. Sohigian

APPLICATION TO FILE AN APPELLANT'S OPENING BRIEF
IN EXCESS OF FIFTY PAGES; DECLARATION OF FORD GREENE
IN SUPPORT THEREOF, ORDER THEREON

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GERALD ARMSTRONG

COPY

Appellant Gerald Armstrong requests permission to file an appellant's opening brief which exceeds the fifty-page limit prescribed by Rules of Court, Rule 15 (e). This application is based upon the declaration of Ford Greene, attached hereto.

DATED: January 8, 1993

HUB LAW OFFICES

By: 

FORD GREENE

Attorney for Appellant
GERALD ARMSTRONG

FORD GREENE declares:

1. I am an attorney licensed to practice law in the Courts of the State of California and am the attorney of record for GERALD ARMSTRONG, appellant herein.

2. A substantial portion of my sole practice is the representation of victims of the Scientology Organization. Appellant Armstrong is my assistant. He is also a former member of the Scientology Organization and is the defendant and cross-complainant in Church of Scientology of California v. Armstrong LASC No. C 420 153, affirmed Church of Scientology of California v. Armstrong (1991) 232 Cal.App.3d 1060, 283 Cal.Rptr. 917.

3. Appellant has been enjoined by a preliminary injunction which is the subject of the instant appeal. Said injunction prohibits Armstrong from testifying about his extensive knowledge of Scientology unless pursuant to subpoena and also prohibits him from providing "assistance" "directly or indirectly" from working assisting anti-Scientology litigants. The injunction is predicated upon an agreement which settled his cross-complaint in LASC No. C 420 153.

Armstrong's First Amendment rights to association and free speech are implicated by the injunction as is his right to be free from restrictive employment covenants. Moreover, Armstrong was induced into the agreement by duress and fraud perpetrated by his attorney. Moreover, he received less than objective representation because his attorney had multiple conflicts of interest because he represented well over one dozen signing

litigants, including himself, in a global settlement of which Armstrong was a part.

4. In the course of preparing the brief, filed herewith, I determined there are meritorious issues touching upon at least 11 primary independent claims of error. It is apparent from the appellant's opening brief, filed herewith, that appellant's position cannot be adequately stated in 50 pages. Moreover the time span of the factual background is 23 years. Accordingly we seek permission to file an oversized brief of 91 pages.

5. Our request to file the oversized brief is prompted by the length of the record and the seriousness of the issues raised. The appendix in lieu of clerk's transcript in this case is 1,743 pages long and there are over 200 pages of Reporter's Transcript. There were two days of hearing on Scientology's application for the preliminary injunction.

6. Attached hereto as Exhibit A is a copy of the Table of Contents from the Opening Brief so that the Court can review the issues raised and evaluate the legitimacy of the basis for this request. I have attempted to be as concise as possible.

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Under penalty of perjury pursuant to the laws of the State of California I hereby declare that the foregoing is true and correct according to my first-hand knowledge, except those matters stated to be on information and belief, and as to those matters, I believe them to be true.

Executed on January 8, 1993, at San Anselmo, California



FORD GREENE

ORDER

The application of appellant GERALD ARMSTRONG to file an appellant's opening brief 91 pages long is granted.

DATED: January __, 1993

PRESIDING JUSTICE

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PROOF OF SERVICE

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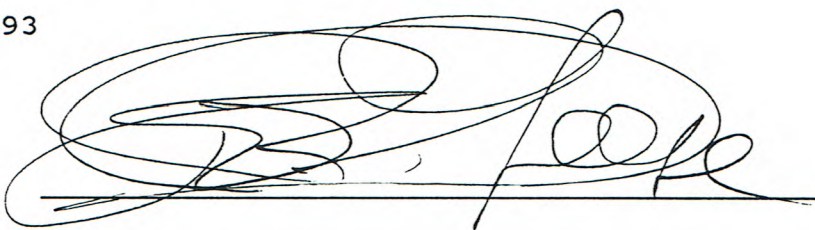
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DATED: January 9, 1993



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